

# BUST BOOK

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The People  
v.

Regina...

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ABOUT  
LAW

"Sedition consists of acts, writings, or conduct which do not amount to treason, but which must be punished in the interests of the State, for if unchecked, sedition leads to disorder, and possibly to revolution".

Moriarty's Police Law 19th Edition.

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Published by:

Action Books, c/o Bookshop 85  
85, Regents Park Rd., London, N.W.1.

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## INTRODUCTION

Agitprop has prepared this legal manual for two basic reasons. One is that we want to serve the people who are being increasingly subjected to the pressure of the forces of 'law and order'. The other reason is that we want to put forward at least a partial analysis of the law and order campaign and the role of law and the 'police' in our present capitalist society.

We want to say from the start that, as revolutionaries, we believe what many oppressed people have realised for a long time: that, contrary to the official myths, the courts are not in any way neutral arbiters of 'truths', 'facts', 'right', and 'wrong'. We must realise that we are not going to get a fair deal in the courtrooms of this country.

Moriarty's Police Law book makes the rulers position clear: "A law...is defined as a rule of action prescribed or dictated by some superior which an inferior is bound to obey". Today's "inferiors" are well known. If you are young, working class, black, long haired or shorthaired, homosexual or if you take part in strikes, marches, demonstrations or squats, then you know who they want to keep down.

It is not surprising that throughout the world we are seeing the same 'law and order' campaign. In Britain, the Labour and Tory Parties' policies move steadily toward an American styled fascism. People here too are being insulted, harassed and brutalised more in their daily lives. With the expansion of American control of Britain and Britain's reduced ability to use the peoples of the Third World as cheap labour, the ruling class is trying desperately to tighten their hold on the people of Britain.

Britain, they say, needs more profit at home in spite of the blatant needs of the people for more homes, better food, a real education, higher wages, better transport and more control over their living conditions. Britain, setting aside these human needs, in-



stead is launching a war against the people's efforts to get together and fight for their needs and dreams. And in this battle, the pigs\* and the courts are the front-line troops.

Historically, the ruling class has tried to hide their exploitative role in order to ensure that this exploitation would be accepted unquestioningly by those who are being exploited. Because of the basically violent nature of capitalism, this has never been possible. So dissent and resentment must be controlled through a 'free' press, a social-democratically orientated labour movement, a 'democratic' parliament and a system of 'justice'. In this system of 'justice' the judges, magistrates and lawyers have never experienced the needs or the lifestyles of those whose future they decide.

The pigs often execute summary justice and then, for official approval, they bring us before the courts.

In areas where Black people live, the 'police' are regarded as foreign invaders who systematically harass Black people. The pigs' harassment has included threatening deportation to Blacks defending themselves, illegally searching restaurants and customers in them (like the Mangrove Restaurant in Notting Hill) and using brutal and unnecessary force against numerous unprotected Black people.

\*The word pig is a synonym for the word 'police'. The popular and increasing use of pig would seem to recommend it less as a term of abuse than as a term of description. In the course of this pamphlet we will sometimes use the word 'police' for reasons of accuracy. The word will generally be set off in quotes to distinguish it as an archaic form.

The racist and vicious way that the pigs treat Black and Brown people is an extension of the inhuman way Britain has exploited people in the Third World for 400 years. For this reason, it is probable that this legal manual may only be of limited use in the Black and Brown communities.

In Northern Ireland, British rule is by the gun. Presence at a 'disruption' often means a trial within 10 days and a sentence of 6 months. Legal niceties are non-existent. The provisions of the Special Powers Act (see appendix) are beyond doubt fascist in design and practice. And as Northern Ireland is ruled by British business, government and army, we should not be surprised to find in English law the foundation for racist authoritarian control.

As young white, black or working class people, we have been stopped on the streets and searched at the will of the pigs under the authority of the Dangerous Drugs Act; we have been thrown out of long empty houses under an obscure 14th century law; we have been attacked and beaten on the streets under the power of Common law to keep the 'peace'; we have been restricted from organising outside factories by laws on obstruction and picketing and we have been surrounded and treated like cattle at football games and demonstrations under all sorts of laws to protect Their private property.

It is clear that what the pigs use is coercion and naked force and what the courts use is economic and physical intimidation and legalised terror.

The violence used regularly by the pigs and the courts is only an extension of the violent nature of British capitalism. Capitalism that has 13,000 troops in Northern Ireland, that uses and supplies the world with CS gas, that injures tens of thousands of

## Search and Harrassment

The hallmark of a totalitarian state is often thought to be the knock on the door in the middle of the night and arbitrary searches and questioning of individuals in the street.

The exercise of this power of search and harrassment of people and their homes is carried out at the moment mainly against Black people and long-haired freaks.

### SEARCH OF INDIVIDUALS

A pig has no right under common law to search you unless he has first arrested you. Under a provision of the Dangerous Drug Act, 1967, this general legal right, like many other 'rights', has lost virtually all meaning. A pig has the right to search and detain you or your car if he has reasonable grounds to suspect that you are in possession of dope. The pig exercises this power of judge and jury - it is he who decides what is reasonable - by virtue of a uniform of the state.

If you think the pig does not have reasonable grounds, you are free to tell him what he can do with his arbitrary powers, but make sure though you have bail arranged. Under a recent Home Office directive long hair and beads are no longer supposed to be reasonable grounds for suspicion. The police have power under various other acts to search and detain you without prior arrest.

### SEARCH OF PREMISES

The general principle again is that the pigs can only enter premises if they are in possession of a search warrant issued by a local magistrate. Traditionally an Englishman's home is his castle. Once you have incurred the wrath of your friendly nei-

ghbourhood pig, you lose your title of an Englishman and your home gets to resemble the underground during the rush hour. For the general principle is little more than the usual liberal sop. A warrant for search will be issued if the cop can prove to the magistrate that he has 'reasonable grounds for believing' you are in possession of stolen goods or naughty substances. And once on the premises the pigs can remove anything they believe to be stolen.

If the warrant is for dope the pigs may search the premises and anyone on them. The pigs can search premises in certain cases without a warrant. Under the Theft Act 1968, if a person who has been convicted for theft or any offence of dishonesty in the past five years lived where you are living now your house can be searched at any time on the authority of any pig with the rank of superintendent.

Under the Dangerous Drugs Act 1965, pigs may come in on authority of a secretary of state if you are thought to be a manufacturer, seller or supplier of drugs. Before admitting a pig you will of course ask to see his authority; one has to select one's friends with care these days. If he has no authority you are entitled to remove him using reasonable force.

When it comes down to it though, none of this stuff about warrants really matters, for Lord Chief Justice Goddard held in the case of Kuruma, Son of Kainu v. The Queen 1955 that evidence illegally obtained was still usable. "...the test to be applied in considering whether evidence is admissible is whether it is relevant to the matter in issue. If it is, it is admissible and the court is not concerned with how the evidence was obtained." The defendant, a Kenyan was hung as a result of this decision.

## PLANNING AHEAD

Demonstrations will seldom be peaceful. With people trying to take the streets - and since there is never clear leadership when people are running down the streets - it is important to get into a small group of friends and move with them at all times. The way in which we should move on demonstrations is not talked about enough. Demonstrations, it is felt, have become ritualised and, as such, pose no serious challenge to the established order and have little chance of changing our dull everyday lives.

A ramble from an advertised beginning via a few scuffles with the coppers to an advertised end, intermingled with the shouting of the same old slogans is not the only form a demonstration need take. Even with singing, street theatre, dancing, music, splitting into large groups each going to a separate target, we would begin to find demonstrations less boring and alienating.

But for more imaginative street tactics to be employed during demonstrations there needs to be a breaking down of the isolation of those on the demonstration. Groups such as large left households, tenants associations, socialist societies, left people from workplaces, claimants unions, can become street groups for demonstrations.

These small groups should meet beforehand to discuss the political issues of the demonstration, the route and alternative route of the march, their own plans for street actions against possible pig action, and an agreed phone number to call if busted. Our strength grows out of the rightness of our causes and the trust we have of each other. Capitalism historically has made us distrust each other and other oppressed

people in order to weaken our fight for a humane life. By moving and working in small groups before the repressive forces we learn to trust each other more and threaten more effectively the powers over our lives.

If you are going as part of a contingent from an organisation:

1. Get your organisation to arrange for doctors and lawyers to be available to go to the nearest police station. If political organizers prepared lawyers and doctors in advance, in the same way they do publicity, it could reduce the roughing up of people at the station and increase the willingness of the 'police' to handle reasonable requests. It would also be helpful to our lawyers to anticipate when they are going to be needed. An available doctor will mean that you have more chance of being seen than with the police doctors alone who will patch up the pigs first; a movement doctor can also help to substantiate brutality claims.

2. Make sure political photographers are going to the demonstration. Photographic material has been invaluable in countering police 'stories', and identifying undercover pig agents. Obviously photographers will need to be especially defended in their work.

3. Try to have someone carry first aid and be willing to help with it. Even if they can't carry a full first aid kit, always try to take a few plasters or bandages. Sisters or brothers who help with first aid hopefully will not be adventurist or romantic but rather understand the responsibility we have for each other. Agit-prop has also prepared a street first-aid manual available for 1/6.



## Street Tactics



Demo's may fall into two categories, Mass rallies and marches and collective cadre actions. Both can quickly deteriorate or escalate into static confrontations or running battles. Mass rallies and marches are slow moving or stationary with little or no internal communication or tactical leadership. In the past the pigs have proven to be the only group capable of forcing a higher physical level of struggle.

We must however, be prepared to move tactically in such situations. The pigs fear us and can be counted on to panic and make errors. Also, experiences of other demo's have shown that mass demo's are excellent cover for cadre actions.

Running confrontations seem to be better situations to be in than static confrontations. It can be generally assumed that demo's, in the liberal sense, are no longer ways of 'voicing our opinion', but ways of showing our collective strength and solidarity. The pigs will try and smash that collective strength, but we must be prepared to defend it.

Although we have had very few experiences of a moving demonstration we can learn from the Amerikan experiences. "Innocent by-standers (who might get hurt, or more importantly get in the way) are left behind. The pigs find it difficult to keep track of and keep up with fast moving groups, let alone mobilise the forces necessary to break the thing up.

In mass situations that explode, look for coherent leadership (which may come from

a cadre exploitationg the situation to raise the level of struggle and conflict) and move your group into liason with them. At all times leave an exit open and stick to the main roads where possible, in that way you avoid being trapped in small side streets. Keep up with the main group or vanish from the scene of trouble quickly. On your own you are an open target for the pigs. It might help to walk through the area beforehand to know dead-ends, escape routes or at least look over a street map of the area, noting the side streets and endings.

When the situation seems to be cooling down and you are going to leave, do so in small groups. Because the TV and journalists have left by then and the pigs may be waiting around the corner. On a recent demo this is where 90% of the arrests occured. At all times be prepared for anything and everything.

On May 9th 1970, the Cambodian demo, shop windows on streets behind Oxford St were smashed and set alight. At the last anti-war demonstration in Washington D.C. the Weathermen did 2 million dollars worth of damage.

a) In static demonstrations linking arms makes it difficult for them to arrest us and increase the sense of solidarity amongst us. Only in certain conditions is it advisable not to link arms. A very good example is when you are crushed up against police lines (a tactic that hopefully will die) and cannot move or use your arms to defend your head from police attacks from above.

b) The suggestions on dressing for the occasion are in the next section.

c) If you see anyone being beaten-up, protect him immediately. A defence to the charge of assault is that the aggressor

was using more than reasonable force. It is collectively safer if this is done by the street groups working together. The street groups should not only protect themselves, but others who are not in groups.

d) Horses are basically used for the psychological effect of confronting us with a large animal. There is in fact nothing to be afraid of. If a group working together can surround the horse and stand close to it, but not behind it, it has been trained to stand still in large crowds; the pig can do nothing but sit still and lash out with his baton.

e) On all demonstrations there will be agent-provocators, there are no tips we can give as to how to spot them as they look like us, talk like us, and act like us. But if the guy next to you starts shouting overtly extremist things that will obviously endanger demonstrators around him, then move away as fast as possible. As we all know they are the ones who shout "let's burn it" or "turn over the cars" in the hope of provoking trouble. Remember to keep your eyes and ears open all the time and be alert to every move of the demonstration.

THESE MEN ARE BOTH POLICEMEN.





## ANTIDOTE FOR THE TEAR GAS USED IN NORTHERN IRELAND

A pair of plastic goggles will protect your eyes from most gases.

### TEAR GAS PROTECTION RECIPE

Mix 8-10 eggs with one cup of water and a tablespoon of baking soda. Beat very well. Spread over face and near eyes.

Soak a handkerchief in vinegar. Breathe through handkerchief, but do not spread vinegar on face. This recipe provides one quart of tear gas relief, effective against CS and CN gas.

If you are gassed without the egg recipe, do not rub your eyes after being gassed - or wash them with soap; this can aggravate irritation. Instead, irrigate your eyes by squeezing water from cotton wool on them and then clean your eyes with over-the-counter type eye-drops.

Get the gas off your skin by wiping with mineral oil (like Johnsons baby oil), or flood the skin with alcohol. Remove all clothes saturated with gas.



## Dress for the Occasion



1. Tie up long hair so you cannot be pulled by it as easily
2. Don't wear earrings.
3. Take care with contact lenses and spectacles. If you have to wear spectacles, put elastic bands around the side-bits or carry them in a hard case. Contact lenses if hit sharply can injure the eye. Further increased dust can make eyes with contact lenses water and increase your chances of getting arrested.

4. Nothing should be worn around the neck e.g. beads and ties, as the pigs will grab them and choke you.

5. Always carry the phone number of a lawyer or a legal defence office written on a piece of paper or even better on your arm. Some useful numbers in London are on the back cover.

6. Don't wear anything flowing. Tight fitting clothes are best, like leather jackets, with good zips and buttons. Women should wear a bra; it can give you some protection.

7. Always check what you have in your pockets, bag etc., bearing in mind that if you have a penknife, nail file, marbles, or even too many coppers they could use 'possession of offensive weapons' as their excuse for charging you. NEVER CARRY AN ADDRESS BOOK with you as the fuzz will get the names and addresses of all your comrades. If you smoke, take a package with you. Trousers with the pockets sewn up can make planting a bit more difficult.

8. Wear hard shoes; sandals can fall off too easily and are not good protection.

9. It can be useful to carry some non-safety matches in your sock, if you are arrested the pigs will let you keep cigarettes in the cell but not matches. A pound note may also be usefully hidden in your sock in case you are picked up and sent to a remand centre before you manage to contact anyone and need to send a telegram.

#### NEVER CARRY DRUGS ON A DEMO.

If you have an illness, carry a card saying so, e.g. 'I am a diabetic', 'I have a penicillin allergy'. Carry if necessary a 24 hour supply of essential medication in case you go inside. Make sure you carry them as the fuzz will take hours to get anything. Since all drugs are 'suspected' it would help to have a doctor's letter stating what your pills are.

## LEGAL EXCUSES FOR ARREST

Although we live in a free society we are in fact subject to laws which prohibit the smallest variation from what is considered normal behaviour. The following seven laws, although they have been in use for many years, are being used against us more and more frequently. Daily, millions of people technically violate these laws but they are only used against the working class, Black, young or political people. Six of them are all the reverse of the real situation in which we live. Despite what the law says, we are in fact assaulted daily by advertising, by bureaucracies and greedy business; we are obstructed all the time from getting a house, food or other necessities of life; we rightly suspect the merchants, bankers and landlords of greed and power; and we suffer all the time from the offensive weapons that capitalism uses against us. The last law explained here, designed to extend mind control, is clearly seen as a declaration of war on our youth culture.

### Obstruction of the Highway

"Members of the public have a right to pass along any public highway, and any interference with that right amounts to an obstruction", so states Moriarty's Police Handbook. Normally we are charged under section 121 of the Highway Act of 1959 which makes it an offence if a person "in any way willfully obstructs the free passage along the highway" (maximum fine of £50 under this section, though other sections can bring imprisonment and a fine).

While normal police accounts will be altered to make our actions 'wilful obstruction' a 1965 ruling by Lord Parker himself gives a few possible defensive points. The Lord said

that the law allows for a reasonable use of the road or pavement. This includes being able to walk along the road and then walk back again ('picket') and the length of time involved, the kind of place where the obstruction occurred and whether anyone was actually obstructed. It might be helpful then, to bring as a witness a passer-by who would say that he was not obstructed.



## Obstruction and Assault of a Police Officer

Many people recognise that this charge is the one frequently brought after assisting a person being harassed or after a direct attack by the pigs.\* Their law holds that any act that obstructs an officer or a person assisting an officer in 'the execution of his duty' can mean a fine of not more than £20 and/or a maximum of one month inside. Failure to recognise a plainclothes pig is no excuse.

\* The Black Panther Party correctly defines a pig as "a low natured beast, masquerading as the victim of an unprovoked attack."

The more serious charge of assault on a pig carries a penalty of not more than 6 months the first time caught and up to 2 years and a fine if caught too often. One defence in court is that we did not intend to assault or obstruct.

## Conduct Likely to Cause a Breach of the Peace

The Moriarty police guide says: "The 'Queen's peace' or more shortly 'peace' is the normal state of society, and any interruption of that peace and good order which ought to prevail in a civilised country is a breach of the peace." Originally a common law offence it is also now included along with in insulting words and behaviour in the statutes. A breach of the peace requires the intentional use of or threat of violence. To be seized under this section requires only a pig to claim that he thought reasonably that such violence might happen.

A defence can be built around the fact that the action would not have provoked a violent act from an observer, that there were no observers, or that a witness is found who can testify that neither he nor anyone else saw anything likely to cause a violent act.

In fact a person could be brought before a Magistrate because he is with people who might disturb the 'good order'. The Magistrate can fine or jail such a person or order him to 'post a surety' (see section on sureties) as a means of 'binding him over to keep the peace'. A person who has been bound over can appeal to quarter sessions to break the ruling but refusal to accept the order or breaking it later can lead to imprisonment.

## Insulting Words and Behaviour

This charge comes in the Public Order Act of 1936 which was supposed to control



the fascist movements. Now it is far more frequently used against the Left. Likewise, the Race Relations Act of 1965, which extended this law to include racist behaviour, has been used to jail Blacks fighting to survive. The original law is in two parts.

The first section declares it illegal to "use threatening, abusive or insulting words or behaviour". What we take to be the truth - like calling out "blackleg", "scab", or "pig" to someone directly out to harm us - can mean a fine of £100 and/or 3 months imprisonment. Under the second section it is an offence "to distribute or display any (thing) which is threatening, abusive or insulting with intent to provoke a breach of the peace or whereby a breach of the peace is likely to be occasioned." The police, who are legally regarded as unlikely to cause a breach of the peace, use this section also to restrict our communicating with other workers, Blacks and students.

Defence against this charge, as the previous one, is difficult; but an effort should be made to show that the particular individual did not use the words or behaviour that the demo did as a whole, or more importantly, there were no members of the public who were upset or were likely to be upset by the individual's behaviour or by the behaviour of the confrontation. Police rarely bring the supposedly upset members of the public to testify.

## Offensive Weapons

Section 4 of the 1936 Public Order Act is one of the potentially most dangerous laws affecting political liberation. It provides the legal authority for the British ruling class to disarm its population completely while allowing its officers and troops to carry and use all sorts of weapons, including guns. As is clear from events in

Northern Ireland, this means that people can be murdered and beaten without being allowed the tools they need for self-defence.

The law states it will be an offence before a Magistrates Court "for any person while present at any public meeting or on the occasion of any public procession to have with him any offensive weapon, otherwise than in pursuance of lawful authority". The only ground of "lawful authority" that people might be able to carry guns publicly are as members of a rifle club or miniature rifle club. People have been convicted for such "offensive weapons" as marbles, a large number of pennies, metal and wooden combs, screw drivers, and sticks from placards.

Defence against this too is difficult, but since 'police' must prove intention to use such common things as weapons, one could have numerous witnesses saying that you would not harm anyone and that you have often carried such things for work or for enjoyment. There is no such thing in law as a defensive weapon, as any weapon used even in self-defence is an offensive weapon.

"No private pastime should take precedence over the police's essential task of controlling the means and the weapons of violence". Editorial, Observer, Aug 30, 1970.

## Being a Suspicious Person

This 17th century law can cover almost anyone living or walking in the streets. It is regularly used against dossers, and other people who live on the streets out of necessity or because they have nothing else to do, because, as the text of law makes clear, a person can be arrested for, in fact, doing nothing. Most people charged under this law never see any legal advisers which makes it all the easier for the courts to carry out

the sweeping provisions of the law. Any person may arrest without warrant every suspected person or persons frequenting or loitering about...on any street or highway with intent to commit an arrestable offence...It shall not be necessary (to convict a person) to show that the prisoner was guilty of any particular act or acts tending to show his purpose of intent.

## 'Dangerous' Drugs Act

Under various Dangerous Drugs Acts, it is an offence to have marijuana, hashish, opium, heroin, L.S.D. and other psychedelics. Alcohol is not included, thus making the choice of drugs appear rather random.

That all these very arbitrarily selected drugs are in fact dangerous is itself doubtful. There can be little doubt that cannabis is harmless. This was first concluded in what is probably the best report on the subject, consisting of six volumes, undertaken by that well-known liberal institution, the British army in India, and had been confirmed by most reports since including the very recent Wootton commission. Coleridge appeared to have no difficulty in getting together one of the best poems in the English language, the Kubla Khan, while under the influence of opium. Many Mexican and North American Indians have flourished for centuries on natural psychedelics until the white man came along, drugged them with 'firewater' and confined them to reservations. Concern for the ill effects of drugs certainly did not extend to the Chinese, for it was the British who first turned China onto opium and was even prepsred to go to war to enforce its rights to create a nation of junkies. But in this society moral principles are the first to go when profit is to be made.



It is an offence to possess the prohibited substances in any quantity, no matter how small. The size of the penalty will however vary with the amount possessed. The breach of this law is regarded so seriously that you do not even have to know that you have got it on you. So you will be in 'possession' as far as the law is concerned, because, as has actually happened, you thought the powder you were carrying was curry powder, or the wrapped parcel you picked up for a friend contained perfume. Growing your own shit, although it is a lot of fun, is forbidden and carries a heavy penalty if caught. It is also an offence to know that your home is used to get high and to allow it to continue.



## YOU'VE BEEN SEIZED



## Arrest

The police to make a proper arrest must normally do three things: inform the person that he is being arrested, tell him what he is being arrested for and that what he says can be used as evidence against him. In practice though, this doesn't happen even in the mildest of times. The first indication of an 'arrest' is often after a pig has a good grip on you. What happens next depends on your physical strength and political consciousness.

A pig, no matter what he says, can only require you to go to the station if he is arresting you. If you are being forced to the station, let other people know immediately. A good shout of what is happening and your name and address can alert other people on the street and make it more difficult for the pigs to harass you. Others can, if necessary, contact a lawyer for you or assist you as witnesses later.

Unnecessary arrests are obviously costly in time and money for the individual and the political movement. An arrest is no longer something that should be accepted casually or as a symbolic act but should be taken only when it is absolutely unavoidable.

All pigs do look alike; so get the number on his shoulder. It is necessary for filing any claim of brutality and for establishing that the 'officer' who testifies against you actually arrested you. Since the truth can be made up in any case, changing 'officers' is done regularly when a pig is lazy or when there is a particularly large bust. In each town a list of particularly brutal or harassing officers should be made in order to bring actions against these pigs.





## Going to the Station

You are arrested ..... and you're scared, so you talk to the police.

**DON'T TALK !**

When you are arrested, the first thing to remember is DON'T TALK. Whether the pigs play friendly or act fierce, you don't have to say anything - so don't!

You may make an admission without even realising it.

**YOU HAVE A RIGHT TO REMAIN SILENT !**

**MAKE SURE YOU DO !**

**DON'T TALK !**

Trying to find out what you are charged with is useless at the time of arrest. Even though you may think there is no reason for arresting you, a pig will not release you voluntarily once he has grabbed you. It is easy for him to charge you with obstruction or some other minor offence if there is nothing else. The pig is probably out to make an arrest; in many circumstances, the charge may not even be important to him at the time.

The whole process of arrest, particularly if it has been a rough one, leaves a person nervous, alone and possibly injured. Inside the van, the violence can get rougher. The pigs often use this opportunity to tell you just what they think of you and just what they are going to do to you in no uncertain

terms. In the face of this, the ride can become the first opportunity to help each other and work together. Begin talking with each other; ask if anyone needs medical attention or first aid; remind people to keep silent; find out each other's names and addresses. These small things will help to begin to develop the individual and collective strength for the stay inside and fight outside. Talking about politics and the issues of street action is very powerful; but be careful not to talk about the day's actions. The pigs might use the details against you or other people in court.

## At the Station

The whole way the pigs react to you at the station will be insulting, degrading and violent. This brutality, not our defensive fighting on the streets, is the violence which is dangerous and oppressive. Every effort is made to hide this violence and the sickness of Britain behind distortions and lies but, inside the pig station physical harassment and organised terror are openly acceptable behaviour.

The particular violence with which you are greeted will depend in part on the power of the confrontation and the number of bigots at the station. They will probably separate off Black people and any they think are leaders for special handling. Police seeing collective strength tend to worry about their own safety, so supporting remarks or actions often help.

If you have been arrested before and know the procedure, try to tell the other people what will happen next and that they should NOT TALK. Try to get other people talking about the issues or even little things so they can deal with their paranoia and keep their morale high. The main thing the pigs play on is the way we tend to be shit scared and make a lot of mistakes.



On arrival, you may be taken to a cell until they decide what to do with you. At some point you will be searched and everything you have will be taken from you. A list of your things will be made, the contents of your wallet listed separately, then you and a pig will have to sign these lists. Read the list carefully and then sign somehow to prevent them from adding a weapon or a drug at the bottom of the list. Initialing any changes and signing under the last item are two good ideas. If the list is not correct, refuse to sign it. Your possessions will disappear in a brown envelope which can be re-examined by the pigs later. They may allow you to take fags into the cell but not matches; sometimes you can even get away with things in your socks or underclothes.

Legally you are then allowed one phone call to a relative, friend, or lawyer, but don't count on their letting you have it easily, if at all. They will probably put you off with an excuse, but use every method you can to use your legal right. Making that call can let people know you have been seized and mean that they can help try to get you out. If you have been picked off alone, that call is of high importance; it might keep you from being remanded inside for a week.

After awhile they will bring you before an officer-in-charge and formally charge you and supposedly caution you again. They will prepare a sheet that requires only the information you need to give them: your name and official address. They may check with the district Criminal Records Office from which they can only get details on your name, address, date of birth and occupation.

They might at any time ask for your fingerprints to check. Unless you are in danger by a check, it's probably not worth refusing. If the pigs definitely want your prints, a nodding magistrate will order you to stay inside for a week and give your prints. In any case the British pigs only identified 1 in 6 Prints that they were looking for in all of 1969. The police will continue trying to make you talk. DON'T TALK.

### Police Questioning

Once you have fallen into enemies hands, they will do everything possible to get you to supply evidence for your conviction. Most of all they would like a confession and the process of intimidation to which you will be subjected will be designed to obtain this. Though theoretically the process of the police questioning is controlled by the judges rules, the pigs will act as if they had never heard of them so be prepared for anything once you are in the station. The pigs are masters of how to find out what they want to know. And remember that a pig has no right to ask "if you would mind coming down to the station to answer a few questions" unless he has arrested you first.

Once in the pig-station, the most important thing to remember is to shut your mouth and keep it shut. Don't say anything, other than your name and address, or sign anything, other than the receipt for your possessions. The pigs will use various tactics to obtain the information they want. To be forewarned is to be forearmed. The first tactic is direct physical violence, either threatened or actual. The state is built on a foundation of violence, both physical and mental and extends that violence into every sphere of its activities. The

police are part of that state and will use its violence to obtain the confession they want. They will use the table, the chair, and their fag ends. They will bounce you off the wall and onto the floor where they will test your ribs for size 12 boot resistance. And the reason pigs are so good at football is the amount of practice they have kicking balls. The pigs ain't called that for nothing. In the face of such violence be strong. Remember we love you, and if that doesn't help, remember that a confession will bring you the interminable violence of a fine or prison sentence.

The pigs will also use various techniques of questioning to get the information they want. You may be interrogated over a very long period under the strains and fears of being in the enemy camp. Dr. Sargeant in his book 'Battle For The Mind' has shown that over a long period of questioning, the interrogator can feed in facts which will eventually come back in the form of a confession. Refuse to answer anything or make any statement. Heavy questioning will often be used because the pigs don't have enough evidence to convict you. Remember that pigs ain't that clever - that's why they become pigs. When you are arrested they will often be guessing. They will hope for you to say something that can be used as evidence. They are under no obligation to keep records of the questions asked and you may find that if you say something it may come up later in court in a different context.

A nasty tactic, which can be a little worrying if you don't know what to do, is for the pig to say: "If you don't say anything, I will assume you are guilty". He may then start to write his version of the events. You should say something like: "I have a statement to make. I am innocent and deny all charges." Say it slowly and insist he write it down. Remem-

ber that your silence cannot be used as evidence against you in court and even in our courts of injustice, a pig who tries that would be laughed out of court.



The pigs have been known to act with some degree of subtlety. One such tactic is the 'hard-soft' technique. There will be two pigs with you. P.C. Hard will be nasty, rude and aggressive. After questioning you for sometime, he will then leave the room. Then P.C. Soft will do his party piece. He will first attempt to win your confidence by making derogatory comments about the other pig. Then he will try and sympathise with you and appear friendly. He will make comments like "I understand what you are trying to do" (he probably does - and he doesn't dig it one little bit). He will encourage you to talk about your 'crime', during the course of which you may well make incriminating statements - the aim of the exercise. It's an old trick for which many have fallen - don't you. It also illustrates the general principle of never trust a pig.

NEVER MAKE ANY DEALS IN THEIR STATION.



## POLICE BRUTALITY

Police brutality is but one aspect of the brutality we experience every moment of our lives. Many of us fight brutality in any way we can. We attempt to evolve new life styles as an alternative to the stifling death forms of Western culture. We fight against the brutality of a wage slave existence by well planned strikes. We defend ourselves from attacks on the street. We confront the violence of British racism in housing, employment and education. And in doing so we help dispel the illusion that the function of the pigs is to protect us from crime. The real function of the pigs is to protect the state and the ruling class interests on which it rests. It is the pigs who are the real criminals.



The normal pattern of pig violence is an unprovoked attack on you. We must apply whatever pressure we can on the streets and in the courts against such violence.

In particular if you have been attacked and are facing charges you should file an official complaint with the police. To initiate this action you can try complaining to the desk sergeant; however this is not advisable as you may well find yourself harrassed or busted again. The alternative is to complain to the magistrate in court the next morning. It is likely he will say he is not interested, but you should insist that the clerk records the complaint. Having done one of these you should then submit a formal registered letter to the local station giving details of the incident.



This much is necessary in any case to avoid the damaging question during the trial: "If you were attacked why didn't you complain immediately?" It will also initiate an internal review within the force. The chances of success, as the Swansea Anti-Apartheid claims

showed, are most doubtful, but you might make it and anyway the people will have their own redress. Last year (1969) 10,600 complaints were made in England and Wales, roughly a complaint against one in every nine pigs. Depending on your courtroom strategy, you can later start a criminal or civil suit on police brutality as a way of carrying the revolutionary offensive into the courtroom.

### Getting Out the First Time

The police can decide that they will release you on police bail. For this bail you need an address that can be easily checked and often a person who will promise that you will appear in court that next weekday morning. They will check that address you give them by phone or visit from a station near your address.

Your friend or relative, called a 'surety', does not have to pay any money to the police. Your surety will be asked his name, address, occupation, and his relationship to you. Only if you do not turn up in court when you are supposed to does your surety have to pay any money. If you do turn up, then he doesn't owe them anything.

However, if they do decide to keep you overnight, you have no legal remedy.

As soon as you are released, note down immediately all the details you remember. Particularly important is the number of the 'arresting' officer, the names and addresses of those arrested with you or witnesses to your arrest and the significant steps that preceded your arrest, the way you were seized, and the approximate times of your arrest, when they charged you, when you requested your phone call, and when they released you. All conversations with the police should be recorded. When your case comes up months after the event you'll need these details.

## GETTING BY WITH A LITTLE HELP FROM YOUR FRIENDS

"After a night in a cell, a trip to the court locked inside a black maria, to see friendly faces in the public gallery can make you feel a lot more comfortable".

The most important thing that a friend can do for someone who has been arrested is to strengthen him against the isolation that he is in. The police are only another arm of the state that is used to control people and make them stay in their places. But by using violence and the threat of continued imprisonment they often succeed in really scaring a person where the other more subtle mechanisms of society have failed. But we are stronger than they are. We have our revolutionary love and our energy. The police operate against this by locking a guy up. Our job is to do everything possible to communicate with him in any way possible from the time that he is arrested.



### When Your Friend is Arrested

Phone up the police station: ask what the charge is and whether they are going to allow bail. If they refuse to allow 'police bail', then they will have to bring your sister or brother to a magistrates court the next morning unless it is a week-end. The police are under Judges' orders to answer these questions unless answering will directly obstruct their investigations. Your own experience will show how easily the police ignore even the Judges' Rules. People who claim to be from a newspaper or a solicitor's office tend to get better response.

If you can't find out what the charge is or if the cops won't allow bail, try to get a lawyer to enquire for you. If you think that the charges might be heavy or that your friend might be getting done over, get a lawyer or a doctor to go directly to the station.

To get out of the nick for the night someone will probably have to be a 'surety' (the details for police bail are on page ). In arranging this surety, don't go to the station alone. When you are on their territory you're then as easy to hassle as your comrade inside. Since we are attacked as members of a class, age, race, or sex, your comrade inside is not the only one they hate; so be ready then for pressuring, questioning and intimidation.

In Islington, in July 1970, three cops jumped a black kid in the market - for carrying a bottle of perfume. His friends go to help. They are busted as well. A journalist and a solicitor go to the cop shop to find out what has happened. They are black. They are busted as well. About 70 black kids from the neighbourhood go down to demand their release. The dogs are set on them and eleven more are busted for "assault". The press treat it as an "isolated incident".

Your comrade will probably need help in arranging bail, particularly if he is held over night. What this means is that someone has to convince the magistrate in court he will make sure you turn up for the legal railroading later and that he is able to pay an agreed amount of money if you don't. NO MONEY HAS TO BE GIVEN TO THE COURT TO ARRANGE BAIL. The details for magistrates bail are on page

Go to court in the morning! Each morning at about 9.30a.m. a list is posted on a notice board in the entrance hall to the court building of people who are to appear at 10.30 a.m. in the court. For prisoners held inside you can ask the jailer or the warrant officer to take a written message to him, though he doesn't have to agree to do this. However by finding out which courtroom he's going to be in, you can locate the chief courtroom pig (usually an inspector). The oldest and most respectable person, perhaps your lawyer, should chat up this pig on the basis that you're concerned about your friend, want to know what's happening, and prepared to stand surety if required, etc, etc. This soft approach, although often insulting and degrading can bring results. The court, like any other bureaucratic institution, is chiefly concerned with the process of control and not people, and over the course of time, those who work there, magistrates, clerks, police, lawyers, probation officers, become of one mind. So any suggestion from the chief courtroom pig that you should be bailed or not is likely to count for more than a similar suggestion from you or a friend, or even your defence lawyer in court.

### If You Witness an Arrest

#### 2. When you see an arrest.

- 1) Get the name of the person and the station to which he is being taken.
- 2) Get the names and addresses of any other witnesses. You may be sure of what happened



but the more witnesses who say the same thing, the more credible it gets, especially if they are 'uninvolved bystanders'.

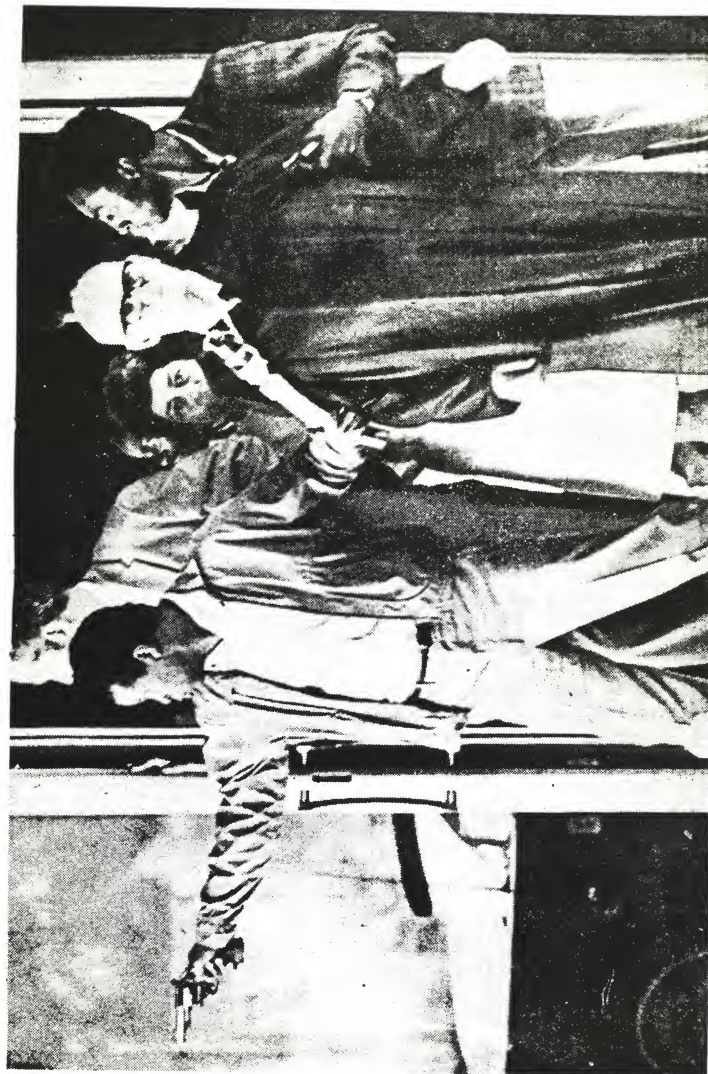
Try and go to the court the next day and let the arrested person know your name and that you are prepared to be a witness for him. You can find out what court they will be appearing in by phoning the police station.

3) For drug offences, notify Release. In London's West End notify Street Aid. Their addresses and phone numbers are on the back cover.

## Swearing in the Court

Later you may have to appear as a witness in court. Many of the oppressive myths about the court and its supposed concern for 'justice' and 'the facts' will be obvious even to witnesses. Gaining a degree of power and control in the courtroom means refusing to be intimidated by the appearance of the court and its manoeuvres and by being in control of oneself inside the Truth Box. In doing this it is vital that you remember:

1. To answer only the question put to you. In particular defence solicitors and barristers will ask questions in a way to bring out just the points needed for the defence. Since questioning may bring out evidence bit by bit wait for further questions from defence and avoid talky answers.
2. To anticipate with careful answers any politically insulting or slurring questions asked by the prosecution.
3. To have friends practice questioning you from your final statement so that you will be more at ease on the stand.
4. Speak slowly and carefully as you give each answer so that you avoid giving the prosecution any unnecessary slanders against the event as a whole or the defendants.



If you pause before answering all questions, it will give you time to work out the answer to a difficult question without being obvious.5. In the court building or during lunch break you should not be seen to discuss the case with other witnesses the defendants, or people who have been in the courtroom. The prosecutor can move in an act of justice to prevent a witness from giving the truth if you get caught.

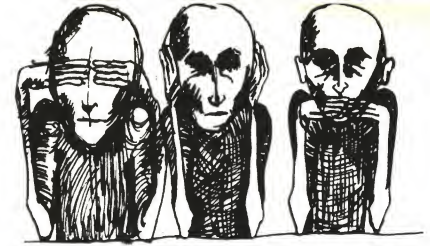
#### 4. Publicity

The hang over publicising a case has always been the sub judice regulations, which read as follows:

we cannot publish any material which is liable to be prejudicial to the defendants case, nor may we publish details of any previous convictions, however, we are allowed to mention the name of the arrested person, what the charge is, whether bail is granted, and just to show their generosity. they allow us to publicise the committal proceedings when the defendant agrees.

The aim of these rules is to add to the mystification of the court system, and to further isolate the defendant. It is our job to smash both this mystification and the isolation, which we can best do by publicising the details of the events in the area of the struggle and in papers of limited circulation. Such limited publicity will not usually prejudice the defendants case, and so is outside a courts contempt citation. Check with the defendant before anything is published.

By this publicity we can understand better how to fight the case both inside and outside of the courtroom, and also help the morale of the defendants who will realise they are not alone.



## INSTANT INJUSTICE

The court like any bureaucracy likes to process people as mechanically and as inhumanly as possible. Most of the people taken before the court are treated as passive and obedient objects. And the court likes nothing better. Because of our often timid and accepting mood, the court can maintain the pretence to truth and justice - and its role as a powerful institution of repression. They make it clear that they are the rulers and we are there to be ruled.

The best way to see class justice at work is to visit a court with a friend and listen to some of the cases. A visit to a court is very instructive: here the class oppression and inhumanity are routine. The economic and personal needs of the people - to steal food and clothes, to live where they want and to stand up to the racism of the society - are constantly the issues 'on trial'. All those who are at the receiving end are working class and other exploited people; none of those handing it out are.

Within 24 hours of being arrested (unless a weekend or a holiday intervenes) you will appear before a magistrate in order to legitimise their taking you as prisoner. People on bail are forced to 'surrender' themselves before the court starts. They join those who are chauffeured to the court from the local nick in the courtroom's cells. When you look at the courtroom it looks something like this:

## MAGISTRATES COURT

JUDGE'S

COURT JESTER

Runs errands & holds  
Bible & oath cards.

THE 'TRUTH' BOX

Standing room only.

PROBATION  
OFFICER

CHIEF COURTROOM  
PIG

Usually inspector or  
superintendent.  
The 'deals' are arranged  
in this corner.

PEOPLE'S STAND

PIGS & DEFENDANTS'

THE PEOPLE

THRONE

Raised high so that everyone  
knows he's the BIG MAN, and  
to see the courtroom cast  
easily.

COURT'S EARS  
& JUDGE'S SILENT ADVISOR

The recorder will tell you what they say  
you did wrong, and ask for your opinion.

PROSECUTION & DEFENCE  
LAWYERS SECTION

Hmmm-  
they sit together.

PRESS

WARRANT  
OFFICER

Introduces you by  
the name & number  
on the charge sheet

Located so that the judge  
can see you better-to see  
if you're black, young,  
freaky or working class.

FAMILIES

Pigs come from S.B.,  
the Yard, local pig stations,  
D.P.P., pig schools and  
probation departments.

Take care about talking,  
there are pigs here too.



The routine here is quite direct.

1. The warrant officer pushes you into the dock and announces your name and your bureaucratic number on their charge sheet. During this procedure you remain standing before the symbol of injustice, His Worship.

2. The clerk informs you of your charge and asks for your plea. If you are charged with a serious offence like Greivous Bodily Harm you will be asked if you want a trial by a magistrate or by a judge and jury.

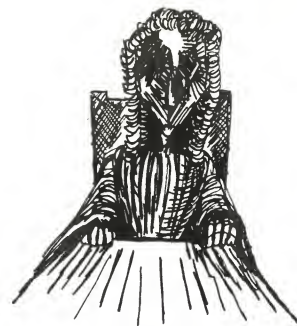
3a. You can agree to an immediate trial, make a plea and the police will then present their version of the events. While there is a great temptation to 'get it over with', it is most unwise to do this if you haven't prepared a defence in advance. This will mean that you have little opportunity to think about what you want to say, to consult a lawyer on technical points, to arrange any witnesses or to talk it out with any other people who were arrested at the same time. We do not have to assist them in convicting you.

OR

3b. You can plead not-guilty and ask to have the court scene put off for a while (remanded) and for magistrates bail. A decision on a jury trial can then be made later.

To get remanded you can tell the magistrate that you want to talk with a lawyer and that you can arrange sureties. You may find that the pigs ask for a remand as they need time to make up their case. If you have a lawyer with you, he will no doubt ask for a remand.

4. At this point in the remand procedure the magistrate seeks the advice of the pigs about what to do with you. Based on some absurd logic, they will announce the conditions of



bail that they would like and the magistrate will noddingly approve. You can though question the pigs on their conditions. The magistrate can order some combination of the following conditions:

a) 'remanded in custody' - they are really scared of you and are trying to make things as difficult as they can. They are supposed to give some technical reason for keeping you inside for the next 8 days. Basically, they have to claim that you will probably not show up for the trial (if you have no address, are an ex-convict or a foreigner) or that you are charged with acts which consist of 'an assault on or threat of violence to another person, or of having... ..a firearm, an imitation firearm, an explosive or an offensive weapon, or of indecent conduct (with a person under sixteen).

While inside it is quite difficult to continue to support a family or to arrange a proper case. However, reversing the order (called applying to a Judge-in-Chambers) is a rich man's privilege (it costs over £50) and most people are effectively serving a week in prison without standing trial. If one of your brothers or sisters is inside, you will have to do many of things in the next sections. One of the best things you can do is to visit the prison regularly.

b) 'bail on own recognizance' - in exchange for your promise to return at the next trial hearing, or to pay a fine to the court, you sometimes can be released. However if you fail to return and they catch you later, you are required then and only then to pay the bail.

c) 'bail by sureties' - When used with bail on own recognizance, bail by sureties is the normal conditions for bail. If you have been on police bail, they won't object to you getting bail from the court. If you have had time to contact friends, ask the richest and most respectable you have got or your parents to come to court. Your sureties do not have to pay anything to the court now. The court only wants to know that after all debts are paid, 'are they worth(!)' the amount of the bail. It is a good idea to bring an extra person along in case the pigs make up some reason for objecting to your particular surety. Only if you fail to turn up to the next hearing will your sureties have to pay the greedy court.

If they hold you overnight, the police will sometimes ask you for names and addresses of people who will be sureties for you. In practice they won't contact anyone, and you may find yourself taken off to jail or a remand home. Do not trust a pig. After being seized and run through a court, you'll be allowed one letter out of the remand centre by 5d post telling people where you are.

5. For those given bail, the court or the clerk of the court will approve your sureties and you will be given back your possessions if you spent the night inside) and be 'free' to leave. As well as money on your head, the magistrate and the pigs may not be able to resist the chance to control you in other ways. They may require you to live at a certain address, to report to a police station daily, and/or for foreigners to give their passports to the court.

Objections should be made to any restrictions as they are heavy penalties without even a trial.

IN SHORT, WE SUGGEST:

1. You plead not guilty (You can change it later.)
2. You ask for a 'remand' to get time to prepare your defence.
3. You want bail.
4. You do not have to make a statement.
5. You should get any brutality claims written down by the clerk.



# PREPARE YOUR CASE NOW

## Legal Aid

First they arrest us under their laws; then they make us pay to defend ourselves. Rich Man's justice is the only thing Britain has; poor men and women who lose their wages and face the loss of their jobs when arrested are given only token chances of proving their innocence. The court, the agency who usually okays the action of the police, decide if you can afford a lawyer and how much you have to pay for him. Often they order a contribution to the lawyer's fees and the court even when not 'guilty' or order a higher contribution to the lawyers and the court than the fine for the offence. (A student in the Senate House Riot case was conditionally discharged for two years and instructed to pay 200 pounds for costs.) So one pays for freedom as one pays for food or rent; someone profits on our trying to get clothes, food, rent, justice and freedom.

In general though we are so cornered by the mechanisms of the law and the court room that we can only hope for release or reduced sentence by involving lawyers. While the national TV and papers remind us of the independence and concern of lawyers, we know that the most important thing is that we have to buy lawyers and second that lawyers are officers of the court. This means that politically one requests legal aid and a lawyer after evaluating at least these three specific issues.

I. The seriousness of the charge. If the charge carries a prison sentence or a heavy fine, a lawyer should quite definitely be called. Since we are unlikely to be 'proven' innocent, the primary concern is that the arrest be as least costly in personal and financial terms as possible. Since lawyers by their role in the court and legal and factual questioning tend to reduce the fines in cases, it should be obvious that in all but a minor first offence it might be cheaper and safer to use legal aid and a lawyer.

2. Most cases are argued on legal and factual questions. If your decision is that these are important considerations, then it is useful to have as competent a person assisting you as possible. A solicitor who can prepare (and in a magistrates court present) the legal arguments and a barrister who will present the arguments in all the higher courts and question the witnesses, are useful supportive people.

3. As the law and order issues become increasing similar to the fascism in Amerika, it will be more and more necessary that the left has a collection of lawyers who are personally involved in the revolutionary struggle. The preparation of lawyers requires that we begin now to politically educate lawyers as to their role in capitalism and our need for their active support. Charles Garry, Bobby Seale's and the Black Panther's lawyers moved from defending workers in the labour strikes in the 1930's to the first revolutionary lawyer in the support of the Black colony in Amerika and this was accomplished by the steady political education from the Panthers.

As most people will be submitting legal aid applications it is best to apply shortly after your first appearance in



## Crime and Defence Groups

court. The form is available from magistrates courts, citizens advice bureau's and participating lawyers, and is similar to other forms in containing the omnipresent means test. Quite naturally the financial conditions are complicated. Generally the limit is 700 pounds per year of 'disposable' income, not counting a house, furniture and fittings, and tools and implements of a trade and allowing 'deductions' for family living expenses, interest on loans, income tax, rates, rent and 'other matters for which a person must reasonably provide'.

Approval to grant legal aid is up to the magistrate and tends to vary widely. An 'Observer' survey found that whether or not legal aid was granted depended to a great extent on the particular magistrate, the charge, and the background of the offender. Release knows that few young people up on drugs charges will be given legal aid and the black community has faced similar problems.

Often, the grounds for refusal of aid are personal superiority and racism reinforced with an open legal clause. A person can be refused legal aid because the magistrate feels 'that it appears unreasonable that he should receive legal aid in the particular circumstances of the case'. The appeals system, allowing up to 4 appeals, has not been used sufficiently to assess its usefulness to the people. (Legal form number C-2 'Notice of appeal against the decision of the local committee' is the correct form).

It is the belief of the National Council for Civil Liberties that "...nowadays legal aid is granted fairly readily whenever a case is sufficiently serious to be tried in the Higher Courts (Quarter Sessions or Assizes). Legal Aid is also usually given in the Magistrates Court wherever the offence carries a possible penalty of imprisonment....".

Most court cases are political cases. Many people get screwed for shoplifting from supermarkets, nicking expensive cars, and other activities designed to transfer the bread from the rich, the banks and the businesses to the dispossessed people of the world. These actions involve the socialist goal of the redistribution of the wealth. The fact that it is illegal is a recommendation of its effectiveness. Out of this we can see the need to define 'crime' as those actions taken against the interest of the people and 'liberation' as those actions which hurt the interests and property of the ruling class.

We must reclaim the people's history - of Robin Hood, William Tell, Sabata (Spanish anarchist bank-robber) and all their merry men. The Tupamaros in Uruguay are currently robbing money and food from the rich to give to the poor and having a good time doing it.



IF YOU MAKE RADIOS - LIBERATE THEM -  
(OR - FREE RADIOS!)

Everywhere the courts and the pigs serve the interests of the ruling class and enforce outrageous anti-people and pro-property laws. The courts operate to hide its role by becoming the altar of the almighty experts: the judges and the legal profession who write laws for each other to interpret what the hell they mean, who use words that are confusing to understand, and who pretend that they are all knowing and secure in their positions.

In this structure it is crucial that defendants get organised and understand their 'crimes'. A defendant's organisation allows the defendants to decide on the political priorities away from the courts and lawyers efforts to control the defence. Only being really organised and together can the defendants assert their power under such heavy establishment pressure.

All defendants arrested should meet within a week of the arrests. Any defendant remanded inside should convey his feelings to the defence group through a trusted comrade. This defence group can work together in selecting 1. the type of defence. 2. The solicitors and barristers, 3. the details of the defendants story, and 4. whatever publicity is decided upon. Suggestions on the preparation of the defendants story are given in the next section and an outline of the four main types of defence strategy are given in the next chapter. The first task though of the defence group is to get the names and addresses of all the defendants and witnesses.

Defence groups will vary depending on whether the defendants were arrested simultaneously on the same charge or arrested over a period of days and weeks on individual 'crimes'. In the first situation it is easier for the group to feel an identity and to understand that the legal system will 'win' unless they stick together in planning strategy. Where arrests were made separately, people

are much more concerned with the facts of their own case and whether a lawyer can get them off than in thinking about ways in which a defendant's organisation can help the entire group.

The defendants must be made to realise that neither the preparation of their cases, the possibility of group deals, nor the chance to organise politically around repression in the courts will happen unless they make it happen. Unless they take strong leadership roles nothing will happen even with the best efforts of a political lawyer. It is crucial that at least one or two active people in the struggle commit themselves to organising with the defendants. Demoralisation, jail terms and expensive fines are only some of the ways legal repression seriously harm our daily life and our struggle for liberation.

The advantages of an organisation are many. It should mean organised evidence gathering, matching politically-conscious people with good lawyers not yet fully committed to the struggle so that they can be organised politically, arranging for one lawyer to take several cases with similar charges thus cutting down on the workload, and group motions in the courtroom. Defendant organisations can also discuss in practical terms the socialist re-definition of 'crime' and make clear that the last thing we crave for is legal respectability.

Through group demonstrations about the court appearances and interest by the group as a whole in the outcome of all the cases people will no longer feel that the battle stops at the courtroom door. They will feel more positive about the trial and the possible time they may serve if they feel it was all part of the struggle.



## Witnesses, Statements and Presentation

Standard police practice is for the pigs to write up in their notebooks a story about the events of the 'arrest'. This story often has no relationship to the actual events and is frequently prepared with a number of other pigs so they all try to say the same story. The charge itself might even change if the story warrants it. A lawyer who criticised police officers at the Police Federation for the alteration of evidence in this way was only met with shouts of "shame" from the pigs, as if they were just dismayed at the public acknowledgement of their behaviour. We can learn a lot from their approach.

It is wise that each witness and defendant prepares statements in minute detail about what actually occurred at the first opportunity. This must be done as soon as it is practically possible as it will make easier any legal/factual defence and provide a basis for eliminating inadvertently dangerous or misleading statements. These statements should explain the physical movement of all important people, what was happening before the events, what you actually saw of the 'deed', if there was one, and the political reasoning behind the action.

Getting such statements now will save a lot of pain and grief later when you make detailed plans for the courtroom. Each witness should be told that they should not discuss defence meetings with anyone who does not need to know what actually happened.

On the basis of strategy decisions made by the defence committee statements should be examined again to see who is the most effective witness and what is to be told to the court.



## PLANS FOR DEFENCE

MOST ACCUSED PEOPLE NEVER SEE A LAWYER;  
those who do should not expect miracles.

Because of their training and the normal practice of law, most lawyers will approach cases, including political ones, as individual and isolated. The only factor they consider is the outcome of the case in court and they will resist considering the out of court consequences as relevant or even legitimate concerns. Most lawyers like to control their cases entirely. A lawyer tends to think of himself as the expert who understands the entire situation, and the client as the passive subject of legal action. Therefore, it will come as a shock to many lawyers who have not previously been involved in political cases, that the clients want to be consulted about the conduct of the case and that a client in a mass arrest will be concerned about the effect of his case on the other defendants.

It is being an 'officer of the court' that is the backbone of a lawyer's relationship to the court and the court personnel. In a political case there are usually things that he can do which may help but they will make it harder for him to have a smooth and friendly relationship with the court. A traditional criminal lawyer especially, has a strong interest in his ability to get good 'deals' for his clients. He will not want to throw this power away on a political case.

The lawyer cannot be looked on as a mere 'skilled extension' of the defendant. He's part of the system and has his own personal and financial interests at stake. However the more political lawyers can substitute toughness and skill for connections. By acquiring a reputation as a skilful lawyer, by demonstrating a willingness to fight for every point and to put up a tough fight in regular

cases as well as political cases a political lawyer can obtain bargaining advantage and respect from the courts, public prosecutors and other lawyers without prostituting himself.

It is especially important to have a good working relationship between individual clients and lawyers so that both understand the political nature of the decisions which must be made.



### Defendant's Problems

Like lawyers, defendants approach the relationship with certain attitudes. People who have not been arrested before tend to be extremely anxious to get a lawyer as soon as possible after the arrest and then to leave the whole thing up to him. Out of his fears, he accepts the 'expert' image of the lawyer that most lawyers have of themselves. People have to be prepared for the political realities of the legal system and this can be an important educational opportunity.

No hard and fast rules can be laid down on lawyer-client relationships or on strategy yet. The fact is however that many people content to leave the worrying up to the lawyers beforehand have felt that they got screwed by the whole system, and by their lawyers as part of that system, when the case was over. Many lawyers on the other hand who have spent many hours of 'free' time for certain cases can get very turned off by what they consider is an unfair ingratitude by political defendants.

Organising around legal defence is beneficial even if it just educates people that the court system is one more instrument of power in the hands of the rulers of British capitalism. It is amazing how many politically active people who have an understanding of the class nature of this country still see a man in a black robe sitting behind a high desk and pretend that he will be neutral. People think the judge will decide the case solely on its merits separating the question of whose interests in society are being threatened or attacked by the struggle. The 'neutral court' myth has to be exposed and communicated to the political movement and communities.

### Court Strategies

After a number of delays and postponements which are often annoying, your case will finally come up. You or the collective defence group will have to work out which approach is best for your case. The four main alternatives - conventional defence, political-legal defence, self-defence and getting a 'deal' - all entail a number of political and personal considerations. You'll want to consider your chances of beating the rap altogether, your likely sentence if you're convicted, how well your case can be used politically, the strengths and needs of the struggle and your relation to it and how good a deal you can arrange.

Courts are most effective when they break down our collective spirit and action. They deal with one person at a time. Each feels afraid and isolated so he begins to think only of saving his own skin. He gets a lawyer perhaps, makes his own decisions. The trial drags on for months and the collective spirit that existed at the time of the bust dies out. Although there's nothing wrong with people in the same bust taking different approaches to their trials, it's necessary that choices be discussed and made with the defence group.

### Conventional Legal Defence

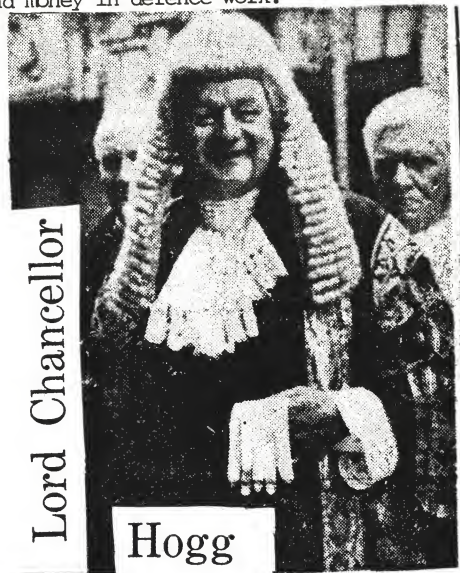
A conventional legal defence means using the facts and the law - technicalities, rules of evidence, legal rights - to win a case. This approach is useful when you think you have a very good chance of winning on the fact of law alone.

Using existing laws does tend to imply acceptance of capitalism and asking a judge to enforce those laws on our behalf supports the myth that the courts are neutral. Nevertheless at the present time conventional legal defence does keep people out of jail and free to deal with their daily needs and to organise for the revolution.

### Political Legal Defence

There has been much talk in recent times about a political-legal defence, about court as another means of political education and organising. It is of course true that political work can best be done in the streets, in the communities, in the factories and in the schools. It is also true that the best defence to political repression is not a legal defence, but political organising. The only true jury is the oppressed people. Nevertheless, the question remains, because we are increasingly in the courts, is there a way to use them politically.

It is important to bear in mind in making your choice that courts maintain the existing order. They are not neutral arbiters of conflict but part of the coercive apparatus of the people with power. They remove people from action, imprison them or tie their time and money in defence work.



Lord Chancellor

Hogg

It is a safe bet that trials from now on will certainly involve aggressive attacks from the prosecution on the political and personal views of the defendants, especially our supposed violence. This tends to catch comrades by surprise after the judge has proudly announced several times that "this case has nothing to do with politics". In this context, no matter how much of a frame-up the evidence is, magistrates or juries will tend to devote as much attention to our failure to convincingly defend our politics, as to the evidence itself. Even this book may induce aggression if the pigs in the court find it on you.

One purpose of a political-legal defence is to use the courtroom as a classroom to teach about the role of law and courts in Britain. The defence can be conducted so as to reveal what in fact is on trial. The value of such a political-legal defence depends a great deal on the extent to which the left publicises and analyses the trial.

Not every case can or should have a political defence. In fact most cases probably shouldn't. But when a particular case could be based on a political defence, the decision should depend as little as possible on the hesitations of the lawyer and as much as possible on the political judgement of the people involved.

### Self-Defence

It is often necessary to defend yourself when appearing in a magistrates court. With the confusion and oppressiveness particularly of a first offence, the pressure is great enough to want 'to get it all over with' and to plead guilty without fully understanding what you've been charged with.

Defending yourself has some advantages. It is cheaper if you have been refused legal aid than hiring a lawyer and you will avoid having to plead guilty which is what the pigs would like you to do. You will gain certain tactical benefits during the course of the trial by cutting out the middle man which will make your contact with the court more real. Witnesses and the jury, if there is one, will have to react to you as a person rather than as 'the accused'.

To plan your defence, you are going to have to learn something about the law and court procedure. You should begin by going to your local magistrates court for a few mornings to see what happens. As well as educating you legally and politically, this should increase





your self confidence a great deal as you realise the incompetence of the average lawyer. Next, you are going to have to learn a little of the law regarding your offence, so go to your local library. Some basic law books are listed in the bibliography. Find out from these books what your offence consists of, whether proof of intention is required or not, what the pigs are supposed to prove and what legal defences there are. Remember that, in theory at least, you are innocent until proven guilty beyond reasonable doubt by the prosecution. Thus the burden is on them to show that you are guilty.

In court, you will have to cross examine witnesses. This is not difficult and you can practice on your friends and the people who you will be calling as witnesses. The technique when dealing with a prosecution witness is to create doubt about everything he says and then to enmesh his answers to your carefully posed questions in a series of contradictions.

When you finally get into the court, take it easy. Don't use legal jargon unless you really want to. Take full advantage of the fact that you are conducting your defence. Impress the court with your personality and honesty. Look prosecution witnesses in the eye and make them wish they were dead when they lie.

A comrade was charged with writing obscene words and defacing an advertising hoarding in Folkestone High Street in August 1969. The only prosecution witness was a hostile shopkeeper from the High street. Under cross-examination by the comrade, who conducted his own defence, she rambled on in terms of

"you're a person of bad reputation."

Comrade: "Would you like to elaborate?"

Shopkeeper: "Well, everybody knows what you get up to, it's just you've never been caught before."

Comrade: "Would you say that perhaps you have just a little bias towards me?"

This particular dialogue started to warm up as the comrade intensified his interrogation of her prejudices. The clerk of the court interrupted for the ninth time on behalf of the witness to scornfully put down the comrade for "treating this case like a Perry Mason drama", and to ask him "to leave out the theatrics." The interruption was of course well timed, coming at the moment when the vital one and only witness was cracking up.

Your self confidence and a clear sense of outrage that these wild allegations are being made against you are your most effective weapons. The biggest difficulty, apart from interruptions by the court officials to upset your performance, will be when you have to give evidence yourself to yourself without a lawyer to prompt you with the right cues.

Self-representation is sufficiently difficult that it is not a tactic that should be used casually, especially when people face serious charges. But under a recent ruling, you are entitled to advice from a friend sitting with you during the trial. (McKenzie v. McKenzie reported in The Times, June 17th 1970)

### Deals

Making a deal with a senior police 'officer' has a number of advantages for a person who is likely to be convicted. By pleading guilty to a lesser offence you can expect a lesser sentence and you can spend your days doing political organising instead of waiting in the courtroom.

Finally the fact that you may be innocent and pleading guilty should not bother a first 'offender', as long as the deal is good. Innocence within courtroom definitions is meaningless to the struggle that seeks to destroy the power of the people who have made those definitions.



Raising pig brutality claims in court is a good example of putting pressure on every point of the capitalist structure. By using official procedures and making a proper charge against your pig, you can also strengthen your case. Judges tend to disbelieve allegations of brutality brought up in evidence when no actual charge has been brought against the pig in question. By bringing a charge you will no longer be the sole defendant in the case and you can show the court that it takes two to make a fight. You will also cast doubt on the evidence of the main witness against you.

Should you decide to take action, there are various courses open to you. You can make use of either ordinary criminal or civil courts. If you want, you can prosecute the pig yourself in the criminal court for assault and battery. If you succeed, which is not very likely, you will secure the conviction of the pig, which will receive publicity in the press. You will not receive legal aid, and you will certainly be sticking your neck out insofar as the authorities tend to close ranks when such a direct threat is posed to the reputation of the police.

The easier option is to sue the pigs for damages from assault, battery, malicious prosecution or false imprisonment. You may get legal aid and some bread if you win. Civil cases also have a vastly better chance of success as all criminal charges are handled by the Director of Public Prosecutions. Needless to say, the D.P.P. is a man with a fine sense of discrimination in these matters.

## WHAT SENTENCES MEAN

The variety of sentences are designed so that magistrates can have alternative ways of manipulating you. Although most laws set guide lines, the magistrate really has a wide say in the penalty he gives. A chance to soften the judge up with special requests and appeals to good character, although demeaning, are occasionally effective. The time between verdict and sentencing can also be a chance to explain again the necessity of your actions or the racist and degrading way the pigs handled you.

The possible court order is as follows:

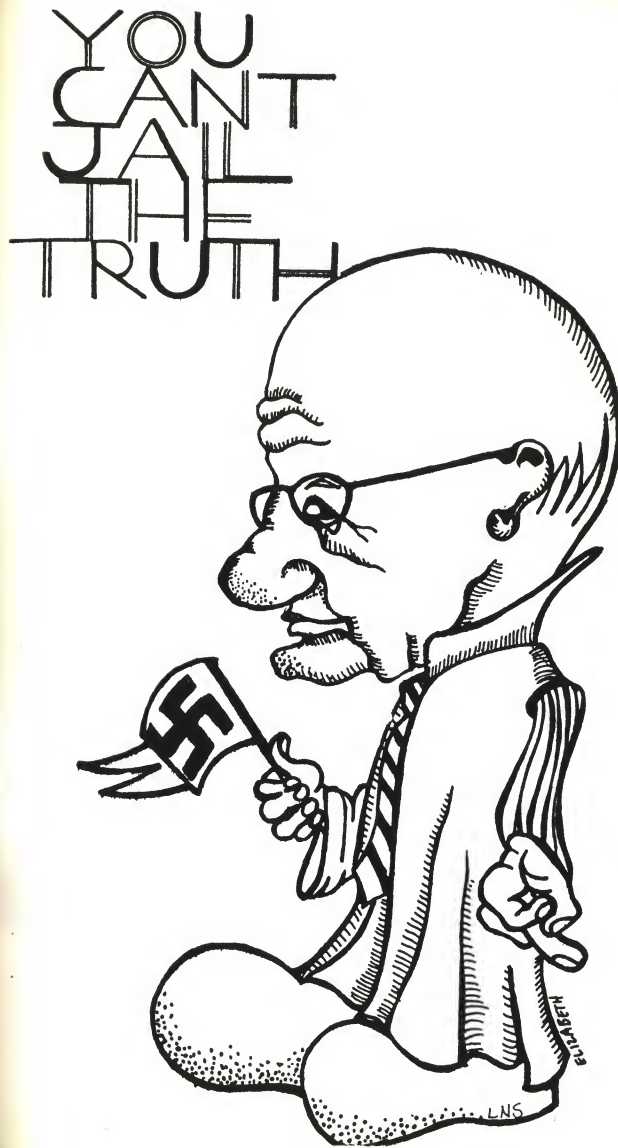
1) Absolute discharge - you have a conviction and record without a sentence. This is usually used for upper class people 'accidentally arrested', or when the police evidence was blatantly contradictory.

2) Held for physical, psychiatric, and probation reports - as a convict you are taken to gaol (prison haircut can be given). these reports are to aid the judge in his wisdom and viciousness. Although the examinations themselves are very brief you can often spend a week to ten days waiting for the tests.

3) Fine - the court uses this to draw away the money we need for our food, clothes and political struggle. Always ask for twice as long as you need to try to get the money. It is easier to ask for 2 or 3 months now, than to have to appear before the court for an extension.

4) Court costs - the effect of this is similar to the fine except that failure to pay would require a civil suit, not criminal suit, from the legal aid committee (you can not go to gaol on civil suits).

5) Conditional discharge - with a time period, (e.g. one year), currently six months





to one year. If you get caught and convicted again, then the second judge can give you a sentence on both offences. If you are not caught, the court considers that you took the warning to heart.

6) Suspended sentence, with a time period - this was designed as a threat to neutralize for long periods of time people who are trying to control their own lives. As with conditional discharge, a suspended sentence reduces the immediate costs of getting arrested while increasing the risks of regular political work.

It also is used as a weapon for future harsh sentences. Subsequent courts use an unexpired suspended sentence as grounds to give a gaol sentence.

7) Prison sentence - these will become increasingly frequent and increasingly longer as we challenge the establishment and fight for freedom. Many who have gone into prisons have adapted their organizing techniques and continued to work politically inside. You can use your time in prison to gain political experience by studying the social conditions inside, learning from other cons, and understanding the functions of gaols in controlling the working class, black and young people and then relating to the daily struggles that go on inside. WHEN THE PRISON-DOORS ARE OPENED THE REAL DRAGON WILL FLY OUT!

8) Borstal - sentence is invariably six months to two years, exactly how much of it you serve depends on your 'attitude'. Average is about ten months. You can be sent to Borstal if you are under twenty one. If your 'crime' suggests to the judge that integration with social norms (constant futile labour) is called for, then this is where you may be sent.



## SPECIAL TOPICS



## Special Powers Act



● British troops imposing Westminster's Imperial edict on the Falls area last July. They have now turned their attention to the Shankill area. It makes no matter whether you are a Catholic or Protestant Irishman, if you get in the way of Britain's Imperial plans you will be suppressed with all the latest products of British civilisation: CS gas, rubber bullets, electric trip-wires. And, if that doesn't keep you quiet they resort to old-fashioned lead.

Under the Special Powers Act (1924) Northern Ireland, the authorities are legally able to:

- I. Arrest without warrant.
2. Imprisonment without charge or trial and deny recourse to habeas corpus or a court of law.
3. Enter and search homes without warrant, and with force, at any hours of day or night.
4. Declare a curfew and prohibit meetings, assemblies (including fairs and markets) and processions.
5. Permit punishment by flogging.
6. Deny claim to a trial by jury.
7. Arrest persons it is desired to examine as witnesses, forcibly detain them and compel them to answer questions, under penalties, even if answers may incriminate them. Such a person is guilty of an offence if he refuses to be sworn or answer a question.
8. Prevent access of relatives or legal advisors to a person imprisoned without trial.
9. Prohibit the holding of an inquest after a prisoner's death.
10. Arrest a person who 'by word of mouth' spreads reports or makes false statements.
- II. Prohibit the circulation of any newspaper.
12. Prohibit the possession of any film or gramophone record.
13. Arrest a person who does anything 'calculated to be prejudicial to the preservation of peace or maintenance of order in Northern Ireland and not specifically provided for in the regulations'.

Source: NCCL, Handbook of Citizens Rights.

## Deportations

The racist ruling class, like their counterparts in all other capitalist countries, subscribe to the dictum that "the only good nigger is out of the country, in jail, or dead". The one exception is the foreigner with 'independent means' either the big capitalists or princelings such as Rajas, Nawabs, Shaikhs, Sultans, Chiefs.

In the British legal system, there are three main types of foreigners: (a) aliens, (b) commonwealth citizens and (c) Irish. In the sea of rules and regulations governing deportation, however British racism puts the commonwealth citizens and the Irish in the same boat.

To force Black and Irish people out of Britain requires a Deportation Order. Such an order, made by the Home Secretary, may be for a specific period or for good. The suggestion that a person should be deported can come from either the courts or the Home Office. The laws on deportations are sufficiently complicated that they can easily confuse the people as well as leave openings for appeals and delays against an actual deportation order. Consequently, anyone facing a recommendation for deportation should get legal help then. One thing that is clear is that individual police officers cannot deport anyone. The racist pigs often threaten black people with deportation in order to intimidate them.

Whatever the pigs say, in no case can anyone in the following categories ever be deported:

- 1) They were born in the UK, their fathers were, or if either of their parents were 'ordinarily resident' in the UK when they were born.  
OR
- 2) Any citizen of the UK who became such
  - i) by being naturalised in the UK

- ii) by being adopted in the U.K.
- iii) by being registered under the British Nationality Act either in the U.K. or in one of the countries specified in the Act.

OR

- 3) They are the wife of someone included in 1 or 2.

OR

- 4) The person has stayed in Britain for the last 5 years (not including holidays).

In theory at any rate there are 2 types of deportation. In some cases it is compulsory: it operates independently of the consent of the person concerned. In other cases, it is 'voluntary' although strong pressures are brought to bear on the person concerned, the deportation itself depends on consent.

The procedure and regulations for a compulsory deportation order against a commonwealth citizen can follow two routes. A Home Office deportation order can be given.

- 1) if a person is convicted of a criminal offence for which he can be jailed and the court then recommends that he be deported.

The court is supposed to bear in mind things like the length of time a person has been in the country, the fact that he has family here, the possibility that he may be put to death at 'home' etc.

A deportation order though cannot be made until the time for placing an appeal has expired and the appeal has been heard and rejected. Quite frequently in any case the Home Secretary holds up a deportation recommendation ordering deportation because he can keep a heavy threat on a particular individual and because of political pressure, or 2) if the Home Secretary uses his powers against a person who has failed to comply with any of the conditions marked on his visa or voucher. Appeals against deportation recommendation are quite normal.



Generally, the deportation recommendation of a court is not a 'sentence'; the court can only suggest that you get deported. To appeal though, an appeal is made as though the recommendation were part of the sentence. In cases where there is no ground to appeal against sentence, the appeal has to be made against the Home Office itself if it decides to carry out the recommendation.

If the Home Office has made a deportation order, an appeal can be made to the Adjudicator and following that to the new Immigration Appeal Tribunal. There are also other methods of judicial review involving the Ombudsman and the Court. The threat of deportation, however, acts as a vicious psychological complement to the immigration laws. In fact only a limited number of deportations are carried out each year. It is crucial to remember that actually deporting a person is a long involved process which can only be carried out in the courts or through the Home Office.



## Remand and Prison Visiting Regulations

Remand prisoners can receive two visitors every day except Sunday. These visits may be somewhat private and last only 15-20 minutes. It is essential that visitors are coordinated through a central person. This way the comrade can get a visit each day or as often as possible and avoid having visitors show up at the jail only to find out that the day's visit has already been used.

You may bring the prisoner gifts like 1 pack of cigarettes, newspapers, new paperbacks and books, snacks or a full meal with a half bottle of wine or a pint of beer. On your arrival the screw will ask you who you are visiting so he can look up the prisoner's number and location and send the comrade to the visiting room. You may be told that your friend is no longer there; the screw may even show you that the name is crossed out in the register. Generally this happens because the prisoner has been in court and not been 'signed in' again. Insist that you know your comrade is still there and ask to consult the central register.

Remanded prisoners can send out and receive one letter a day.

### CONVICTED PRISONERS

Convicts are allowed a visit of three together every 28 days. This is an open visit, i.e. you can sit around a table for one half hour. Visitors may not give anything to the prisoner in the visiting room, but some have taken risks. Be careful.

Immediately on conviction, you can send out a visiting order (VO) and receive visits. Names and addresses of visitors must go on the VO and these may be checked. In prisons outside central London, the half hour visiting

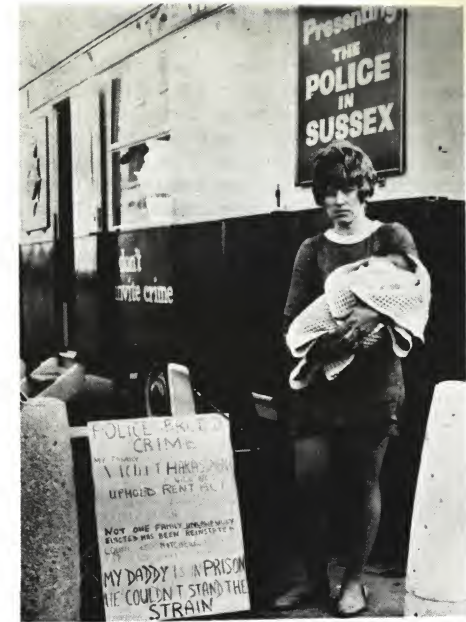
rule may be extended if visitors have a long way to travel. For example, two comrades were both convicted in London, but did most of their time on the Isle of Wight where visits lasted about 1½ hours. Prisoner's dependents can claim fares from the social security, and many prisons have overnight hostels available to dependents if they have a long way to travel. For details, apply to the prison welfare department. If you don't have a visitor every 28 days, they can accumulate. You can also get a transfer to the area nearest to your dependents if they can't make it to you.

A convict can send and receive only two letters a week. Postage for one letter is paid for by the taxpayer; the other comes out of the prisoner's earnings. The practice may differ from jail to jail. At the Isle of Wight prison you could send out 3 per week and receive as many as sent. You may also apply for special letters as solicitors, employers, etc. In addition if you have given notice of an appeal you can get a letter everyday and can also have a closed visit every day.

#### WHEN THE BREADWINNER GOES INSIDE

When the breadwinner of a family goes inside, the rest of the family has to hassle to get their entitlements from the Social Security. With visitors attacking unsupported mothers before allowing them any benefits and claimants humiliated for hours on end in the S.S. offices it is a hard fight to get what belongs to you. This is why it is wise to join with other claimants in a claimants union. The national address of the Claimants Union is 74a Stratford Rd., Sparkbrook, Birmingham.

A family with the main wage earner in prison should get the full benefits listed below. Demand them and do not accept less than your full rights.



Single person, rent payer	£5-4-0
Other person over 21	£4-3-0
18-20	£3-10-0
16-17	£3-1-0
13-15	£2-8-0
11-12	£2-4-0
5-10	£1-16-0
Under 5	£1-10-0
plus your rent in full	
After two years you should get another 10/- per week.	

## Life Inside a Remand Home

Remands are often used as a political weapon of intimidation, by condemning people to imprisonment before they even get to trial. If you are of 'no fixed address' i.e. just dosing around on friends floors, the pigs are almost certain to oppose bail. The thing then is to fix up with a friend who does have an address to say that you do in fact live there, but this has to be arranged before you have been busted. Its no good producing it out of the top of your head in court or at the police station.

Also, you have to have a surety - i.e. someone who is middle class, preferably middle aged, looks straight and has a clean record. Well-heeled politicians may have no difficulty in doing this but for a lot of kids it is a big problem, and there is a need for people on the left who are in a position to do so, to make themselves available as sureties.

If you are remanded in custody and you are over 16 and under 21 and male you get sent to Ashford; over 21 and male, to Brixton; over 16 and female, to Holloway (in London area). Conditions in remand centres are really grim, far worse on the whole than ordinary prisons and its worth knowing the worst so that you can prepare yourself.

The main thing to remember is that the power of the remand centre pigs comes not from physical force, which they use in the last resort anyhow, but in keeping from you any information about what your rights are. Individual screws interpret and apply the rules as it suits them. Your rights are laid down and this is, in outline, what they are supposed to be:

Clothes: if you are unconvicted, you are allowed to wear your own clothes - provided they are 'acceptable to the prison authorities'.

In practice, if your clothes/hair are freaky, they may be judged 'unhygienic' and you'll end up in prison uniform. Best to try and get some fairly straight clothes from home.

Letters: you are given one letter after each court appearance on remand (once a week). All letters are censored and they may not get out at all if you put down the Great Society or the prison authorities, so be cool.

Visits: you're entitled to a visit by two people every visiting period before you are convicted and there is no need for a visiting order.

If you feel you are being unfairly treated by one of the screws, you can always lodge a complaint with the Governor. What follows then is usually known as a 'monkey trial'. You are frogmarched in to the Governor's Tribunal and asked to state your complaint. Then the screw comes in and gives his version. You are then marched out and two minutes later you're back in again. You're told that the complaint has been found not proven and that it constitutes an offence to make malicious and unfounded allegations against members of staff. Then you are sentenced to a certain punishment and marched to the punishment block, the roles of accused and defendant having been neatly reversed. So except in extreme cases where you have been seriously assaulted and have witnesses to back up your complaint, it is extremely unwise to complain to the Governor.

A far better form of self defence is solidarity amongst the prisoners. If you go in as a group e.g. from a demo, stick together at all costs - let the screws see that you are a group and aren't afraid of them, that if they mess with one of you, they are going to have to mess with you all. Once they see that you're going to stick up for each other, they tend to lay off - its more time and trouble than they



have, to take on the whole group. And if you get any agro from one of the screws, always threaten to take him to the Governor - even if you don't intend to.

As with any institution, you soon fall into the routine of the place. Keep in touch with the outside world; get your friends to bring you books or newspapers - anything that is not too revolutionary or pornographic is usually allowed. And take this opportunity for getting together with your brothers and sisters inside, no matter what they are in for. If some forms of political activity are criminal then equally, most forms of criminal activity are political. It's your job to bring this out while you're inside and the best way to do this is by sticking together against the screws in the daily hassles that arise.

In some remand centres, there is a definite policy of divide and rule, agro between black and white, long hair and short. It's up to you to get together and make sure that this divide and rule kick is not allowed to continue.

## Injunctions

The injunction is a weapon being used increasingly against workers, tenants, and students who have liberated ruling class property. An injunction, requested by a member of the ruling class to a civil court, is supposed to prevent us from interfering with his 'personal property'. Since trespass or interference is not a crime, the prosecutor is not the State, but a particular ruling class person or institution referred to as the plaintiff.

The plaintiff can, in the high court, claim damages because of trespass. But it is not these damages that the authorities are worried about for the damage caused by you walking on someone's land is not measurable and the High Court would only award small damage fees. However, there are two other aspects: Firstly, if you lose you will have to pay the costs. These will be many times higher than a fine following a demo. Secondly, and most important, the plaintiff wants to keep you off his grounds, so he will seek an injunction. An injunction is supposed to maintain things as they are until the court has ruled. If you continue to 'wrongfully' enter the plaintiff's land, you may be committed to jail until the time of trial.

In all recent cases legal aid has, without reason, been refused. It takes months for the courts to get around to trying your case, so the plaintiff will take out an interim injunction 'ex parte' (in your absence) and this lasts seven days. It is binding from when served, being served along with a summons for trespass. At the end of the seven days there is a further hearing with you present where you get a chance to defend yourself. If you lose, the injunction remains in force until the date of the trial. If you decide to defend yourself

and oppose the extension of the interim injunction, there is a fair chance of success. If you show 'good reason' why you should be allowed to continue to visit the premises in question or you make a promise of 'good behaviour' the chances are that the application for an extension will be refused.

It seems that defendants will have little chance of winning when the case comes up for trial. However, if it could be proved that the plaintiffs are in breach of contract or in breach of their own regulations in pursuing the action, there may be some hope.

Generally people ought to fight their banning both in and out of court. The press appears to show considerable interest in such cases. For a worker, tenant or student to be banned from his house or workplace for political beliefs is unjust and will be seen by others as such. It is difficult for even bourgeois press to condone the arbitrary bannings that have been made at, for example, Arbour Square, the L.S.E., Hull and Essex.

If you have powerful backing against the victimisation then the obvious tactic would be to ignore the court's injunction. Moreover, the authorities will find themselves forced to continue banning more and more political misfits, thus suggesting a tactic of collective disobedience of court injunctions together with a collective fight.

Although you are liable to pay the costs of the case if you lose, you obviously won't be able to pay. The authorities may use the High court costs to frighten you into not fighting the interim injunction. Generally, the authorities end up paying the costs, which for Essex University alone have amounted to thousands in the last couple of years.

## POLICE— COUNTER-INTELLIGENCE

Law books are expensive - the state likes the rich to have a monopoly on legal knowledge. Find a law library or go visit one of the law bookshops on Chancery Lane. ALWAYS USE THE LATEST EDITION. Law changes very rapidly especially as the result of changes in case law and an old edition may seriously mislead you.

### General:

Williams, Glanville, Learning the Law. Tells how to use a law library, how to look a case up, how to interpret a statute and legal research generally.

### Civil Rights:

N.C.C.L., Handbook on Citizens Rights. If you want to have another legal book in the house other than the manual, this is the one. Covers all the law.

### Courts and Procedure:

Walker & Walker, The English Legal System. Court structure, procedure, legal aid, evidence and everything else. Boring.

Jackson, Machinery of Justice in England. Covers same sort of thing as W. & W. but liberal and critical.

Devlin, Criminal Courts and Procedure. By a judge and a police handbook. Detailed and good.

### Criminal Law:

Cross & Jones, Introduction to Criminal Law. Smith & Hogan, Criminal Law. Both begin with a section on the general part of criminal law - actus reus, mens rea, absolute liability, inchoate offences, etc. which should be read first, then read first C. & J. and then S. & H. on your offence.

Moriarty's Police Law. Their book on crime.

### Drugs:

Coon & Harris, Release Report on Drugs. Good, well documented account of the treatment of drug arrests.

Public Order Offences:

Brownlie, Law Relating to Public Order. Comprehensive and sympathetic.

Search, Extradition, 'Free Speech', Deportation:  
Hood Phillips, Constitutional Law. Deals with your rights(!)

Arrest, Pigs and the Law:

Jackson, Enforcing the Law. Arrest, police questioning, reprints judges rules, follows legal aspects of law enforcement up and into the court room. Good.

Marshall, The Police and Government. Covers constitutional position of police, police questioning and the Police Act 1964. Fairly good legal bibliography on pigs.

N.C.C.L., Arrest, a Guide to the Citizens Rights. Short and useful.

Industrial Militancy:

Drake, Labour Law.

Grunfeld, Modern Trade Union Law. Drake is more recent, but Grunfeld is better. Covers legal aspects of strikes and trade disputes.

Labour Research Department, Picketing, Where? When? How? Very short and adequate.

Slander, libel and other civil wrongs:

Salmond, Torts.

Winfield, Tort. Both cover things for which you can sue or be sued. Winfield is probably the more comprehensible.

Sentences:

Covered by English legal system books but see also The Sentence of the Court: A Handbook for the Treatment of Offenders. HMSO. Very comprehensive.

Reference:

If the topic you're interested in isn't covered here, look in Where to Look For your Law. Covers every possible topic, though now unfortunately a little out of date.



*The next two volumes in the Action Books series are:*

The Hooligans' Handbook by Roger Howard.  
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